

Remarks/Arguments

Claims 1-3 and 6-10 are pending. Claims 1 and 10 have been amended to more clearly and distinctly claim the subject matter that applicant regards as his invention. Support for the amendment to claims 1 and 10 are provided, for example, on page 6, line 29 - page 7, line 9, and page 7, lines 22-28. No new matter is believed to be added by the present amendment.

Regarding the request to resubmit the filed PTO-1449, the examiner has indicated via a phone conversation with a Thomson Licensing administrator, Karen Schlauch, on May 3, 2006, that the request was in error and no further submission is required in this regard.

Rejection of claims 1-3 and 6-9 under 35 USC 102(e) as being anticipated by Maeda (US Pat No 6212136)

Applicant submit that for at least the reasons discussed below Maeda fails to disclose or suggest each and every limitation of amended claim 1, and thus, amended claim 1, and claims 2-3 and 6-9 that depend therefrom, are not anticipated under 35 USC 102(e) by Maeda.

Amended claim 1 recites:

an information erasing means, and, in the case of recording information, a writing device, formed from a writing magnet and an optical scanning device, for overwriting information or data recorded on a magneto-optical recording medium, wherein

the information erasing means is formed by an erasing magnet having a magnetic field which is directed opposite to the magnet of the writing device,

the information erasing means is connected with the optical scanning device to one of erase, and erase and initialize the magneto-optical recording medium only in a region upstream of a track to be written directly before the recording of new information or data and has a field strength sufficient to initialize the magneto-optical recording medium without the assistance of a laser.

Applicant submits that Maeda fails to disclose or suggest at least the above-emphasized limitations of amended claim 1.

At the outset, applicant notes that the terms initialization and erasing are distinct and have specific meaning to those skilled in the art, particularly in the field of magneto-optical recording. In fact, Maeda mentions on col. 1, lines 47-49, with reference to Fig. 2, that "the initialization magnet 4 is used to generate a strong initialization magnetic field Hini of several kilooersteds as described above." In the description of the arrangement of Fig. 2 there is no mention or hint regarding an erasing device, nor that the stored information becomes erased by the described initialization. Applicant submits that one skilled in the art would understand the passage to teach that there is an initialization magnet 4 that initializes an initialization layer, but that erasing, overwriting, or recording of information takes place in the area of the light spot provided by pickup 2 opposite to the recording magnet 3. More details of such arrangements are provided in, for example, previously cited US Pat. No. 5530685. In this regard, applicants submit that Maeda is not applicable to the present invention as Maeda is concerned with an initialization arrangement rather than one concerned with erasing or erasing and initialization as mentioned in the present claims.

Furthermore, applicant submits that Maeda fails to disclose or suggest at least the limitation "... the information erasing means is connected with the optical scanning device to one of erase, and erase and initialize the magneto-optical recording medium **only in a region upstream of a track to be written directly before the recording of new information or data.**"

In the Response to the Remarks, the examiner states that "Accordingly, the prior art of Maeda teaches an information initialization means 4 which initializes/erasing data along a track which has a forward rotating direction (upstream). In other words, the initialization means 4 erases data in one direction and not in an oscillating motion." Applicant respectfully disagrees with the examiner's application of Maeda to the present claims.

Maeda relates to an entirely different problem than that addressed by the present invention. Specifically, Maeda concerns a system for ensuring that a proper magnitude initialization magnetic field is applied to the magneto-optical

disc, and provides a solution that includes a movable base plate 14 for varying the position of drive coils 131 and 132, and hence the magnitude of the magnetic field, with respect to optical disc 1. However, Maeda does not disclose or suggest an arrangement for erasing or erasing and initializing as recited in the present claims.

The examiner alleges that initialization magnet 4 corresponds to the recited information erasing means. Applicant respectfully disagrees. First, as mentioned above, applicants submits that initialization and erasing are distinct functions, and nowhere does Maeda disclose or suggest erasing or erasing and initializing functions being performed by initialization magnet 4. Second even if initialization magnet 4 is considered to correspond to the recited information erasing means, Maeda still fails to disclose or suggest that the magnet 4 erases the recording medium only in a region upstream of a track to be written directly before the recording of new information or data as recited in the claims.

In Fig. 3, Maeda clearly shows that the magnet in Figs. 1 and 2, as well as the magnetic field generating source 12 and drive coils 13 in Fig. 3, are elongated in shape and encompass areas that extend beyond the ends of optical pickup 2. This shows that the magnet 4 is disposed over a portion of the disc that is before and behind the optical pick up 2 that records and reproduces the information on magneto-optical disc 2. If the magnet is considered to be an erasing means, which erases the magneto-optical recording medium without assistance of a laser, the positioning and the area covered by magnet would cause a just recorded information to be erased after one revolution of the disc. Therefore, applicant submits that the magnet 4 cannot be interpreted to correspond to the recited erasing means, and certainly does not erase the recording medium only in a region upstream of a track to be written directly before the recording of new information or data as recited in the claims.

Finally, applicant submits that Maeda fails to disclose or submit that the erasing means "... has a field strength sufficient to initialize the magneto-optical recording medium **without the assistance of a laser**. In fact, Maeda discloses the opposite, stating "... The disc B is recorded and **erased by heating** the portion on the axis a **with irradiation of light** from the optical pickup 2 under the application of magnetic field of several 100s of Oersteds, e.g., 100 Oe." (col. 5,

lines 43-46). Thus, Maeda specifically discloses erasing the information on the disc using the assistance of a laser.

In view of the above, applicant submits that Maeda fails to disclose each and every limitation of claim 1, and thus, claim 1, and the claims that depend therefrom, are not anticipated by Maeda.

Rejection of claim 10 under 35 USC 103(a) as being unpatentable over Maeda in view of Kamioka (US Pat No 5493548)

Applicant submits that for the reasons discussed below amended claim 10 are patentably distinguishable over the teachings of the suggested combination of references.

The examiner acknowledges that Maeda fails to teach or suggest a second optical scanning device for reproducing data and the two optical scanning devices simultaneously record and reproduce data. Kamioka is cited to supply the missing elements of Maeda.

However, applicant submits that even assuming arguendo that Kamioka teaches the missing elements of Maeda, and the suggested combination is proper, Kamioka still fails to teach or suggest the erasing magnet, which Maeda fails to disclose or suggest as discussed above. Therefore, applicant submits that the suggested combination of Maeda and Kamioka still fails to teach or suggest each and every limitation of present claim 10, and that present claim 10 is patentably distinguishable over the suggested combination.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be

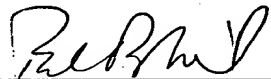
Ser. No. 09/207,361
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Customer No. 24498

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taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

FRIEDHELM ZUCKER

By: 
Paul P. Kiel
Attorney for Applicant
Registration No. 40,677

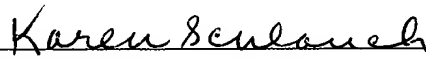
THOMSON Licensing Inc.
PO Box 5312
Princeton, NJ 08543-5312

Date: May 3, 2006

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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop RCE, Commissioner for Patents, Alexandria, Virginia, 22313-1450 on:

May 3, 2006
Date


Karen Schlauch